

presented here correspond to the now-cancelled claims as follows:

New Claim	Original Claim
38	21
39	22
40	23
41	24
42	25
43	26
44	27
45	28
46	29
47	30
48	31
49	32
50	33
51	34
52	35
53	36
54	37

New independent claims 38 and 54 recite these limitations:

- a first sales transaction is a consummated final transaction
- prices are monitored after an item is purchased by a consumer in a consummated final transaction
- lower price(s) are noted following the purchase

Walker does not deal with guaranteeing a price to a consumer after a consummated transaction. Walker is directed to a method for a consumer to establish a set price prior to finalizing a sale and then, when the consumer gets to a retail location to finalize sale, charging a consumer a lower price than in effect. Walker has no teaching or suggestion regarding monitoring prices after a sale is finalized or for noting a lower price after a sale. Walker has no teaching or suggestion regarding providing a refund to a consumer following a sale and following subsequent price monitoring as now claimed herein.

For these reasons Applicant respectfully submits that the new claims submitted here define new and patentable subject matter.

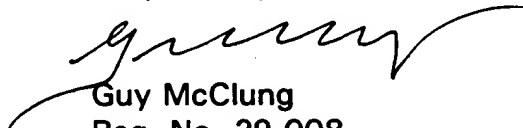
§.103 Rejections

Claims 24, 25, 34 and 36 have been rejected under § 103 based on Walker. These claims have been cancelled. New claims 41, 42, 51 and 53 correspond, respectively, to the now-cancelled claims; and Applicant respectfully submits that these new claims define nonobvious patentable subject matter.

Applicant repeats here the comments above regarding the Walker reference. Also Walker has no teaching or suggestion regarding a host system or the use of a host system as now claimed herein. Walker has no teaching or suggestion regarding a post-sale refund. Walker has no teaching or suggestion regarding incentive programs or warranties.

Applicant appreciates the careful and detailed Office Action. This is intended to be a complete Response to the Office Action. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,


Guy McClung
Reg. No. 29,008

Date: 18 APRIL 2002

PMB 347
16690 Champion Forest Drive
Spring, TX. 77379--7023

Phone: 281 893 5244

CERTIFICATE OF FACSIMILE TRANSMISSION

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Date: 18 APR 02

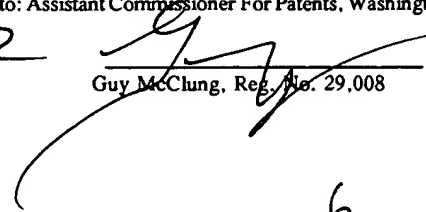
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